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STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
NEW JERSEY STATE BOARD OF DENTISTRY

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IN THE MATTER OF THE  
APPLICATION OF

CARLY A. WOODWARD

TO PRACTICE DENTAL HYGIENE  
IN THE STATE OF NEW JERSEY

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Administrative Action

CONSENT ORDER

This matter was opened to the New Jersey State Board of Dentistry ("the Board") upon receipt of an application for a dental hygiene license from Carly A. Woodward ("respondent"). Simultaneous to the receipt of respondent's application, the Board was provided with a criminal history summary pertaining to respondent. The summary indicated respondent had a history of offenses relating to driving while intoxicated, as well as a history of inappropriate use of substances consisting of marijuana and alcohol abuse. Additionally, just prior to receipt of her license, respondent tested positive for cocaine on October 3, 2006.

In connection with respondent's application for licensure, she was evaluated by the Physician's Assistance Program of New Jersey ("PAP"). The Board received a position statement from the PAP dated November 1, 2006. According to the position statement, although she engaged in alcohol and substance use, respondent was not found to be impaired. The PAP recommended

that respondent's license be granted with certain requirements and restrictions placed on her license.

On November 15, 2006, respondent appeared at an investigative inquiry held by the Board. Respondent was accompanied by Louis E. Baxter, Sr., M.D. FASM, Executive Medical Director of the PAP. During the inquiry, respondent testified she is currently involved with PAP. Additionally, respondent attends Alcoholics Anonymous every week, is submitting to urine screens twice every week and is starting outpatient counseling. Respondent acknowledged she had made mistakes in the past and is committed to changing her life.

Having considered the testimony of respondent and the reports provided, the Board has determined that respondent may be granted a license to practice dental hygiene subject to the conditions outlined in this order. Respondent appears to be doing well in recovery at this time. However, the Board is keenly aware of respondent's history of relapse and therefore any deviation from the terms of this order will result in immediate suspension of her license. The Board finds that such a provision coupled with the restrictions placed on respondent's license by this order are adequate to protect the health, safety and welfare of the public, and that good cause exists for entry of this order.

ACCORDINGLY, IT IS on this 7<sup>th</sup> day of March, 2007,

HEREBY ORDERED AND AGREED THAT:

1. Respondent is hereby granted a license to practice dental hygiene in the State of New Jersey subject to the restrictions in this order.

2. Respondent shall abstain from any and all intoxicating or mind altering substances, including but not limited to alcohol as well as any controlled dangerous substances except pursuant to a bona fide prescription written by a physician or dentist for good medical or dental cause in her own treatment. In addition, respondent shall advise any and all treating physicians and/or dentists of her history of substance abuse. Respondent shall cause any physician or dentist who prescribes medication which is a controlled dangerous substance to provide a written report to the Board together with patient records indicating the need for such medication. Such report shall be provided

to the Board no later than two (2) days subsequent to the prescription in order to avoid confusion which may be caused by a confirmed positive urine test as a result of such medication.

3. Respondent shall maintain enrollment in the Physician's Assistance Program (PAP) and follow all their recommendations for treatment and counseling, including but not limited to, attending support groups, including NA or AA as directed by the PAP, and shall submit to urine monitoring to be coordinated with PAP subject to the conditions for urine monitoring set forth in paragraph 4 below. Respondent shall provide evidence of attendance at NA/AA groups directly to the PAP and to the Board on a quarterly basis. For purposes of this order, the first quarter commences on January 1, 2007. The first submission shall be due not later than March 31, 2007 for all NA/AA attendance for the months of January, February and March. If respondent discontinues participation with the PAP or attendance at any support group, without first obtaining approval of the Board and the PAP, she shall be deemed in violation of this Order.

4. (a) Respondent shall submit to random, twice-weekly urine screens. The urine screen monitoring program, as well as the laboratory facility conducting the urine testing, must be approved by the Board. The Board shall provide respondent and the PAP with specific directions for the protocol of the testing procedure. All urine screens must be directly observed and respondent shall comply with all additional urine screen procedures and protocols outlined and prescribed by the Board. The urine screen requirement shall continue until further order of the Board expressly reducing or discontinuing testing. The initial drug screen shall utilize appropriate screening techniques and all confirming tests and/or secondary tests shall be performed by gas/chromatography/mass spectrometry (G.C./M.S). The testing procedure shall include a forensic chain of custody protocol to ensure sample integrity and to provide documentation in the event of a legal challenge. The Board may, in its sole discretion, modify the frequency of testing or method of testing during the monitoring period.

(b) All test results shall be provided to Kevin B. Earle, Executive Director of the Board, or his designee in the event he is unavailable. The Board retains sole discretion to modify the manner and the extent of testing in the event technical developments or individual requirements

Board may utilize any information received in connection with any proceeding regarding licensure.

6. Respondent may seek modification of the terms of this order not sooner than one (1) year from its entry. Prior to any modification or removal of restrictions set forth in this order, respondent shall:

(a) Appear before the Board or a committee of the Board to discuss her recovery and to demonstrate to the satisfaction of the Board that she is not then suffering from any impairment or limitation resulting from any psychiatric condition or the use of any substance, whether legal or illegal, which could affect her practice;

(b) Prior to her appearance, respondent shall provide the Board with reports from each and every mental health professional (including but not limited to: psychologists, counselors, therapists, psychiatrists) who have participated in respondent's care and/or treatment during the period of time from her entry into treatment to her appearance and the Board may require receipt of a report of an independent psychiatric evaluation with a Board approved psychiatrist.

7. Respondent hereby consents to the entry of an Order of automatic suspension of license without notice, upon the Board's receipt of any information which the Board in its sole discretion deems reliable demonstrating that respondent is not capable of carrying out the functions of a licensee consistent with the public health, safety or welfare or that respondent has failed to comply with any of the conditions set forth in this consent order, including but not limited to report of a confirmed positive urine, or a prima facie showing of a relapse or recurrence of drug or alcohol abuse.

8. Respondent shall have the right to apply for removal of the automatic suspension on five (5) days notice but in such event shall be limited to a showing that the urine tested was not hers or was a false positive in the case of urine testing, or that other information submitted was false.

indicate that a different methodology or approach is required in order to guarantee the accuracy and reliability of the testing.

(c) Any failure by respondent to submit or provide a urine screen within twenty-four (24) hours of a request will be deemed to be equivalent to a confirmed positive urine test. In the event respondent is unable to appear for a scheduled urine test or provide a urine sample due to illness or other impossibility, consent to waive that day's test must be secured from Kevin B. Earle, or his designee. Personnel at the lab facility shall not be authorized to waive a urine test. In addition, respondent must provide the Board with written substantiation of her inability to appear for a test within two (2) days, e.g., a physician's report attesting that respondent was so ill that she was unable to provide the urine sample or appear for the test. "Impossibility" as employed in this provision shall mean an obstacle beyond the control of respondent that is so insurmountable or that makes appearance for the test or provision of the urine sample so infeasible that a reasonable person would not withhold consent to waive the test on that day.

(d) In the event respondent will be out of the State for any reason, the Board shall be so advised so that arrangements may be made at the Board's discretion for alternate testing.

(e) Any urine test result showing creatinine levels below 20 mg/dL and a specific gravity below 1.003 shall be deemed dilute and a presumption of a confirmed positive urine test shall arise requiring a confirming test by hair analysis or other appropriate means.

(f) Respondent shall familiarize herself with all foods, food additives or other products (such as poppy seeds) which may affect the validity of urine screens, be presumed to possess that knowledge, and shall refrain from the use of such substances. Ingestion of such substances shall not be an acceptable reason for a positive urine screen and/or failure to comply with the urine monitoring program.

5. Respondent shall provide any and all releases to any and all parties who are participating in the monitoring, treatment or other program as outlined in this order, as may be required, in order that all reports, records, and other pertinent information may be provided to the Board and the PAP in a timely manner. Via her signature on this order, respondent agrees that the

NEW JERSEY STATE BOARD OF DENTISTRY

By: Peter L. DeSciscio  
Peter L. DeSciscio, D.M.D.  
Board President

I have read and I understand this  
Consent Order and agree  
to be bound by its terms. I consent  
to the entry of this Order.

Carly A. Woodward  
Carly A. Woodward

2/17/07  
Date

I have read and understood  
the within Order and agree  
to comply with the terms which  
relate to the Professional  
Assistance Program

Louis Baxter  
Louis Baxter, M.D., Director  
Professional Assistance Program

I am Carly Woodward's employer.  
I have read and understand the terms  
of the Consent Order.

MICHAEL B. COHEN  
Michael B. Cohen  
(Print and Sign Name)